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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 09/932,806 | 08/17/2001 | Alex A. Lopez-Estrada | 42390P12162 | 5825 |

8791 7590 12/15/2005

BLAKELY SOKOLOFF TAYLOR & ZAFMAN
12400 WILSHIRE BOULEVARD
SEVENTH FLOOR
LOS ANGELES, CA 90025-1030

EXAMINER

DUNN, MISHAWN N

| ART UNIT | PAPER NUMBER |
|----------|--------------|
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2616

DATE MAILED: 12/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|--------------------------------------|---|--|
| Office Action Summary | Application No. 09/932,806 | Applicant(s) LOPEZ-ESTRADA ET AL. | |
| | Examiner Mishawn N. Dunn | Art Unit 2616 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 August 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 August 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| <p>✓ 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)</p> <p>✓ 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)</p> <p>✓ 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.</p> | <p>4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.</p> <p>5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)</p> <p>6) <input type="checkbox"/> Other: _____.</p> |
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DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claims 1, 3-20, and 22-26 are rejected under 35 U.S.C. 102(e) as being anticipated by Tsumagari et al. (US Pat. No. 6,480,669).
2. Consider claim 1. Tsumagari et al. teaches a method, comprising: examining an MPEG stream (col. 1, lines 33-36; col. 5, lines 27-28); identifying packets in the MPEG stream that are associated with navigation points in a playback of the MPEG stream (col. 19, lines 17-28; fig. 25); and placing information on the identified packets in a navigation database (col. 11, line 58 – col. 12, line 6; fig. 6).
3. Consider claims 3 and 4. Tsumagari et al. teaches that the navigation database is maintained in a separate file and not encoded in the MPEG stream (col. 11, lines 21-23; fig. 5).
4. Consider claim 5. Tsumagari et al. teaches that identifying packets includes identifying packets associated with selected presentation times in the playback (col. 19, lines 17-28; fig. 25).

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5. Consider claim 6. Tsumagari et al teaches that identifying packets includes identifying a packet containing a video I-frame with a presentation time near one of the selected presentation times (col. 15, line 47 – col. Line 6; fig. 14).
6. Method claims 7-11 are rejected using similar reasoning as the corresponding apparatus claims above.
7. Consider claim 12. Tsumagari et al. teaches a machine-readable medium having stored thereon instructions, which when executed by at least one processor (col. 22, lines 27-34; fig. 29) cause said at least one processor to perform operations comprising: examining an MPEG stream (col. 1, lines 33-36; col. 5, lines 27-28); identifying packets in the MPEG stream that are associated with navigation points in a playback of the MPEG stream (col. 19, lines 17-28; fig. 25); and placing information on the identified packets in a navigation database (col. 11, line 58 – col. 12, line 6; fig. 6).
8. Medium claims 13-17 are rejected using similar reasoning as the corresponding apparatus claims above.
9. Consider claim 18. Tsumagari et al. teaches an apparatus, comprising: a medium to provide an MPEG stream (col. 1, lines 33-35); and an authoring tool coupled to the medium to examine the MPEG stream (col. 2, lines 18-41) and to produce navigation information for a navigation file separate from the MPEG stream (col. 19, lines 17-28; fig. 25).
- 10.** Claims 19, 20, and 22-26 are analyzed and discussed with respect to the claims above.

Claim Rejections - 35 USC § 103

11. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

12. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Tsumagari et al. (US Pat. No. 6,480,669) in view of Acampora et al. (US Pat. No. 5,168,356).

13. Consider claim 2. Tsumagari et al. discloses all of the claimed limitations as stated above, except that examining an MPEG stream includes examining a transport stream.

14. However, Acampora et al. teaches that examining an MPEG stream includes examining a transport stream (col. 2, lines 28-38). Therefore, it would have been obvious to one of ordinary skill in the art, at the time the invention was made to use, to provide, handle, record and reproduce an MPEG stream in the format of a MPEG transport stream format for error detection and correction which provides a higher level of error resilience.

15. Claim 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over Tsumagari et al. (US Pat. No. 6,480,669) in view of Taniguchi et al. (US Pat. No. 6,192,183).

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16. Consider claim 21. Tsumagari et al. discloses all of the claimed limitations as stated above, except that the authoring tool includes a processor and a computer program.

However, Taniguchi et al. teaches an authoring tool that includes a processor and a computer program (col. 10, lines 24-42). Therefore, it would have been obvious to one of ordinary skill in the art, at the time the invention was made to use, to examine the MPEG stream with an authoring tool that includes a processor and a computer program which provides increased image quality and requires less time.

Conclusion

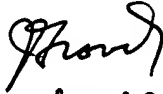
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mishawn N. Dunn whose telephone number is 571-272-7635. The examiner can normally be reached on Monday - Friday 7:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Groody can be reached on 571-272-7950. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Mishawn Dunn
November 25, 2005


James J. Groody
Supervisory Patent Examiner
Art Unit 262 2616